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The right to food

Report of the High Commissioner for Human Rights submitted in accordance with Commission resolution 1999/24

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Introduction

1. On 17 November 1996, the World Food Summit adopted by consensus the Rome Declaration on World Food Security and the World Food Summit Plan of Action, which outlined ways to achieve universal food security. Under objective 7.4 (e) of the Plan of Action, Governments, in partnership with all actors of civil society, undertake to "invite the United Nations High Commissioner for Human Rights, in consultation with relevant treaty bodies, and in collaboration with relevant specialized agencies and programmes of the United Nations system and appropriate intergovernmental mechanisms, to define better the rights related to food in article 11 of the International Covenant on Economic, Social and Cultural Rights and to propose ways to implement and realize these rights as a means of achieving the commitments and objectives of the World Food Summit, taking into account the possibility of formulating voluntary guidelines for food security for all". The Commission on Human Rights endorsed this request in its resolutions 1997/8, 1998/23 and 1999/24.

2. As a concrete and practical response to objective 7.4 (e), the Office of the High Commissioner for Human Rights convened in December 1997 the first Consultation on the Right to Adequate Food (see E/CN.4/1998/21). In resolution 1998/23, the Commission endorsed the proposal made by the Consultation to have a follow-up meeting in 1998 to pursue the discussions on the content and means of implementation of the rights related to adequate food in order to provide the High Commissioner with a full set of recommendations concerning her response to the request of the World Food Summit. That follow-up consultation was convened by OHCHR at the Food and Agriculture Organization of the United Nations (FAO). It was co-hosted by FAO and held from 18 to 19 November 1998 (see E/CN.4/1999/45).

3. At its fifty-fifth session the Commission, in adopting resolution 1999/24, reaffirmed that hunger constitutes an outrage and a violation of human dignity and, therefore, requires the adoption of urgent measures at the national, regional and international level for its elimination. It considered intolerable that more than 800 million people, especially women and children, throughout the world, and particularly in developing countries, do not have enough food to meet their basic nutritional needs. It stressed the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, to reinforce national actions to implement sustainable food security policies. The Commission also requested the High Commissioner to transmit the resolution to Governments, relevant specialized agencies and programmes, treaty bodies, as well as non-governmental organizations, and invited them to present comments and suggestions for the elaboration of the content and means of implementation of the rights related to food, taking into account the outcome of the second consultation.

4. The present report is submitted pursuant to paragraph 9 of resolution 1999/24. Section I contains summaries of the replies received by 30 November 1999. Section II contains a review of the progress made in the definition of the right to adequate food in international law. Section III refers to a number of conclusions.

5. The attention of the Commission is drawn to General Comment 12 on the right to adequate food adopted by the Committee on Economic, Social and Culture Rights on 11 May 1999. The text is available in Committee document E/C.12/1999/5 and is annexed to the updated study on the right to food submitted by Mr. Asbjørn Eide to the Sub-Commission on the Promotion and Protection of Human Rights in 1999 (E/CN.4/Sub.2/1999/12), it is also available on the treaty bodies database of the United Nations Human Rights Web site (www.unhchr.ch/tbs).

I. SUMMARY OF REPLIES

6. In implementation of Commission resolution 1999/24, the High Commissioner sent on 21 September 1999 notes verbales to Governments and letters to relevant specialized agencies and programmes, treaty bodies, as well as non-governmental organizations, inviting them to submit comments and suggestions. By 30 November 1999 replies had been received from one Government, one specialized agency, two United Nations programmes and three human rights treaty bodies.

7. The Government of Kuwait stated that it is doing its utmost to ensure that basic commodities and requisites are available to its citizens and residents at acceptable prices as part of the State's policy of countering the rising cost of living through the subsidizations of commodity prices. To this end the State purchases the requisite commodities and foodstuffs and makes them available to its citizens and residents at subsidized prices. The subsidized basic foodstuffs are rice, sugar, milk, vegetable oil and food and milk for infants. Construction materials are also subsidized. The Ministry of Commerce issues ration cards for these commodities to needy families wishing to receive them. By the end of 1995, 94,882 such cards had been issued for the benefit of 891,113 individuals of whom 63 per cent were Kuwaitis.

8. In addition, the State grants agricultural land to citizens wishing to develop it and also provides them with financial support to enable them to produce and develop agricultural products.

9. Moreover, the State believes that it has an international responsibility to contribute to economic development endeavours in the poor developing countries in order to free them from hunger and poverty and, to this end, has established numerous bodies and institutions specialized in the provision of economic aid to help those countries to implement their economic and social programmes.

10. In 1988 the head of State proposed in the United Nations that the interest be waived on the debts of the developing countries. In 1990 Kuwait waived the interest on the debts of countries which had received loans from Kuwait and also looked into the question of the principal of the debts of the poorest countries. In 1995 it cancelled the debts that some Arab countries owed to Kuwait as well as the accumulated interest on the debts of the developing countries.

11. In 1991, at the global consultation on the effective enjoyment of the right to development as a human right, Kuwait stressed that the increasing burden resulting from indebtedness had the severest impact on the poorest and most vulnerable sections of society and also had evident effects on human rights.

12. Finally, Kuwait is one of the main donors of aid, particularly to the poor developing countries, exceeding 4 per cent of its national income, which is a high proportion amounting to more than 1 billion dollars per year.

13. The International Monetary Fund, in its reply, stated that it was established to promote international monetary cooperation, exchange stability and orderly exchange arrangements, to foster economic growth and high levels of employment, and to provide temporary financial assistance to countries under adequate safeguards to help ease balance of payments adjustments. In implementing this mandate, the focus is on macro issues and not on the right to food, or any other human right. However, the Fund is available to work with individual member Governments to establish a stable macroeconomic and financial framework conducive to the implementation of a Government's approach to the right to food, other human rights, or other appropriate policy goals of the authorities.

14. The external debt situation for a number of low-income countries, mostly in Africa, has become very difficult. IMF and the World Bank have designed a framework to provide special assistance for heavily indebted poor countries (HIPC) that pursue IMF- and World Bank- supported adjustment and reform programmes (which can include policies to implement the right to food), but for which traditional debt relief mechanisms are insufficient. The HIPC Initiative entails coordinated action by the international financial community, including multilateral institutions, to reduce to sustainable levels the external debt burden of these countries. The Initiative focuses on ensuring additional finance for social sector programmes, primarily basic health and education, for a group of 41 heavily indebted poor countries.

15. A country must satisfy a set of criteria to be eligible for special assistance, namely: be eligible for concessional assistance from IMF and the World Bank; face an unsustainable debt burden, beyond available debt-relief mechanisms such as the Naples terms (under which low- income countries can receive a reduction of eligible external debt of up to 67 per cent in net present value terms); and establish a track record of reform and sound policies through IMF- and World Bank-supported programmes for a period of three years. Once declared eligible for support under the Initiative, the country must establish a further three-year track record of good performance under IMF/World Bank-supported programmes. This period may be shortened for countries that already have a sustained record of strong performance. In April 1999, total costs for providing assistance to 26 countries expected to require it were estimated at US$ 12.5 billion. The cost to IMF of its participation in the HIPC Initiative was estimated to be US$ 1.2 billion.

16. The initial deadline for countries to enter the first phase was extended from September 1998 to December 2000. The HIPC Initiative was on the agenda of the Cologne summit of heads of Government of the members of the Group of seven (G-7) and Group of eight (G-8) countries in June 1999, who supported faster, deeper and broader debt relief for the poorest countries that demonstrate a commitment to reform and poverty alleviation.

By July 1999 12 countries were considered for eligibility under the Initiative, but the assistance was granted to 7 (Uganda, Bolivia, Burkina Faso, Guyana, Côte d'Ivoire, Mozambique and Mali). Debt relief expected for all seven countries totals more than US$ 6 billion, in nominal terms, and will reduce the net present value of all these countries' debt by over US$ 3 billion.

17. The World Food Programme (WFP) views the United Nations Development Assistance Framework (UNDAF) as an important mechanism around which the United Nations agencies and Governments, in consultation with civil society and the donor community, can coordinate their capacities and pool their resources towards the realization of rights related to food and nutrition. At the second consultation on the right to food, WFP stressed that the definition of the right to food must include a reference to both the elimination of gender-related inequalities and emergency situations. The latter would include the requirements that the parties to the conflict must allow free passage to all relief supplies essential for survival, including foodstuffs, if they are unable to supply the needs of the population, and should facilitate the work of the humanitarian organizations and guarantee the protection of relief personnel. Starvation as a method of warfare is prohibited, and resources indispensable to the survival of the population, such as agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, must be protected.

18. WFP continues to work at the national level, in collaboration with its partner organizations, to ensure that its food aid programmes are targeted at the most vulnerable and food insecure. The development by OHCHR of training materials on human rights for United Nations system-wide use, tailored to incorporate issues of particular concern to the individual food agencies, is an important initiative. This will assist in the clarification of the content and means of implementation of the rights related to food and nutrition.

19. The United Nations Children's Fund (UNICEF) stressed that the fact that the AIDS virus can be passed by an HIV-positive mother to her child through breast milk should not be allowed to undermine breastfeeding for the majority of infants around the world whose health and chances of survival are and will be greatly improved by it. While many Governments are considering ways to make alternatie feeding options available to HIV-positive mothers who decide not to breastfeed, this must not lead to a spillover of artificial feeding to infants of HIV-negative mothers.

20. The International Code of Marketing of Breast Milk Substitutes is of particular relevance since it aims to regulate the distribution of free or subsidized supplies of breast milk substitutes and to protect children fed them. The Code does not prevent Governments making breast-milk substitutes available to HIV-positive mothers. The Code also says that breast-milk substitutes may be donated to social welfare institutions but should be given only to infants who have to be fed on the substitutues, including infants of HIV-positive mothers who have chosen this option.

21. The Chairperson of the Committee on Economic, Social and Cultural Rights pointed out that the Committee has accumulated significant information regarding the right to food through examination of States parties' reports since 1979. The adoption on 11 May 1999 of General Comment 12 on the right to adequate food was in response to the request of States, at the World Food Summit, for a better definition of the rights relating to food in article 11 of the Covenant,

and to a special request to the Committee to give particular attention to the Summit Plan of Action in monitoring the implementation of the specific measures provided for in article 11 of the Covenant.

22. The Chairperson of the Human Rights Committee reported that while the International Covenant on Civil and Political Rights does not contain a provision on the right to food, several articles of the Covenant may be of relevance, notably article 6, the right to life. The concluding observations adopted by the Committee following the examination of periodic reports show that there are a considerable number of States parties to the Covenant which have problems of access to food.

23. The Committee has also produced jurisprudence under the Optional Protocol with regard to the right to life, which is available in the annual reports of the Committee to the General Assembly and on the Human Rights Web site. In addition, the Committee has issued several general comments under article 40 of the Covenant, in particular General Comment 6 on article 6 of the Covenant (the right to life), 15 on "The position of aliens under the Covenant", 17 on the rights of children, and 18 on non-discrimination.

24. The Chairperson of the Committee on the Rights of the Child stated that the Convention on the Rights of the Child, ratified by 191 States reaffirms the indivisibility and interdependence of all human rights by grouping in one instrument civil and political rights with economic, cultural and social rights. Therefore, the right of children to food needs to be implemented in the light of many other provisions of the Convention, such as the right of non-discrimination (art. 2), the principle of the best interests of the child (art. 3), and the right to life, survival and development (art. 6).

25. The Convention refers directly to the right to food and nutrition in its articles 24 (right to health) and 27 (right to an adequate standard of living). In a broader sense the right to food is also covered in the Convention by other provisions such as articles 6 (the right to life, survival and development) and 22 (right to humanitarian assistance).

26. By ratifying the Convention, States parties have committed themselves to take all measures to prevent and "combat [...] malnutrition" of children and to guarantee "the provision of adequate nutrition" (art. 24 (c)), "to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health nutrition, the advantages of breastfeeding ..." (art. 24 (e)), and "... to assist parents and others responsible for the child to implement this right and [...] in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing" (art. 27.3).

27. In order to prepare its dialogue with States parties, the Committee has established a pre-sessional working group which meets, before the public session, with United Nations bodies and agencies as well as other competent bodies to seek expert advice. In this framework, UNICEF and the World Health Organization (WHO) regularly inform the Committee about

measures taken by States parties to implement the right to food. National and international non-governmental organizations also provide expertise in this area. For instance, the specific issue of breastfeeding has often been discussed by the Committee with States parties, including with regard to the implementation of the International Code of Marketing of Breast Milk Substitutes.

28. In its concluding observations the Committee recommends, whenever appropriate, to States parties to take effective measures to ensure the full implementation of the right to food. Many States parties encounter difficulties in implementing it, in many cases owing to poverty and lack of access to healthy food, sometimes to discriminatory practices and/or the persistence of traditional harmful practices. The Committee has also often noted the negative impact of the non-respect of the right to food on the enjoyment by children of their other rights, such as the right to education and to leisure.

29. The Committee also feels that knowledge about the signification and implications of the right to food of children, as recognized by the Convention, is still limited and that most initiatives and studies in this field do not adequately address the child rights perspective.

II. REVIEW OF FURTHER PROGRESS MADE IN THE DEFINITION OF THE RIGHT TO ADEQUATE FOOD IN INTERNATIONAL LAW

A. Administrative Committee on Coordination

30. From 8 to 15 April 1999 OHCHR hosted in Geneva the twenty-sixth session of the Subcommittee on Nutrition, of the Administrative Committee on Coordination (ACC/SCN), an inter-agency mechanism for harmonizing nutrition policy in some 16 United Nations funds, programmes and agencies, as well as up to 10 bilateral agencies and numerous non-governmental organizations dealing with specialized matters including vitamin A, iron and iodine deficiencies, nutrition, ethics and human rights, health education and food safety, foetal and infant malnutrition, nutrition in emergencies, etc. The nutrition community has identified nutrition indicators to monitor nutrition trends in countries, regions and globally.

31. On 12 April 1999 a symposium on the substance and politics of a human rights approach to food and nutrition policies and programmes was held. In a keynote speech, the High Commissioner for Human Rights said that the meeting was a practical example of the extensive cooperation between United Nations agencies towards the full realization of the human right to food and nutrition, as recognized by the Universal Declaration of Human Rights and the principal human rights conventions. Its realization was inseparable from appropriate economic, environmental and social policies oriented towards the eradication of poverty and the satisfaction of basic needs.

32. She added that while cooperation between the agencies and the treaty bodies had developed well during the last few years, greater emphasis should be put on sharing information and the development of joint indicators to measure achievements and shortcomings in the realization of food and nutrition rights. United Nations agencies could provide not only legal, political and administrative advice to States on how better to meet their obligations regarding the right to food and nutrition, but also help States in monitoring their implementation of that right.

B. Food and Agriculture Organization of the United Nations (FAO)

33. The most recent estimate of the number of the undernourished, which refers to the years 1995-1997, is 825 million (791 million in the developing world and 34 million in the developed regions). This represents a substantial decline from the estimate of 831 million in the developing countries for the period 1990-1992. The decline, however, corresponds to an annual average of only 8 million, whereas the decrease required after 1997 to meet the World Food Summit target of halving the number of the undernourished by the year 2015 is nearly 20 million per annum.[1]

34. However, the number of undernourished in sub-Saharan Africa (180 million) has been consistently rising. On the other hand, significant progress towards reducing undernourishment has been made in East and South-East Asia (241 million), as well as in South Asia which still has the highest number of undernourished (284 million). The rather stagnant situation in the Near East and North Africa (33 million) and Latin America and the Caribbean (53 million) is preoccupying, even though both the percentage and number of undernourished persons in these regions are relatively small.

35. Finally, the prevalence of under-nutrition in the industrialized countries is rather marginal, with the number declining only slightly from 9 to 8 million during the early 1990s. However, in the countries in transition there has been an increase in the number of the undernourished in the same period, from 20 to 26 million.

36. The international financial crisis continues to be a subject of concern. In addition to the economic and social impact, the crisis has also affected both the agricultural production and trade of the most strongly affected countries as well as international markets for agricultural products at large. The current provisional estimates point to stagnating global agricultural production in 1998, which would thus be, on a global basis, the worst agricultural year in the 1990s.

37. In addition, the number of countries facing food emergencies continues to be high and stood at 37 as of August 1999. Although the highest concentration of these situations is in Africa, no region is spared.

38. Indications from August for the 1999 crop point to a small reduction in world cereal production for the second consecutive year. Over the last two years international prices for most cereals remained under downward pressure owing to relatively abundant supplies and depressed economic conditions in many parts of the world. Only in Africa south of Sahara did average annual agricultural production growth over the period fall short of 3 per cent. The rate of expansion of only 2.5 per cent implies that alone among the developing country regions output growth in Africa south of the Sahara failed to exceed population growth.

39. Recent estimates of official development assistance (ODA) to agriculture indicate a continued decline both in real terms and as a share of total ODA. Forecasts of cereal food aid shipments in 1998/99 reached 9.5 million tonnes, an increase of more than 3 million tonnes over the preceding year to the highest level recorded since 1993/94. While there was an increase in the net flow of private capital to developing countries and countries in transition, ODA to

agriculture has stagnated. In fact, in 1997, 14 donor countries had actually reduced their ODA to least developed countries. The share of agriculture in total ODA was halved (from 30 per cent to 15 per cent) between the 1980s and the first half of the 1990s.[2]

40. On the recipient side, the bulk of the increase in food aid shipments went to the Russian Federation, in form of cereals (1.3 million tonnes). Shipments to Bangladesh also rose substantially (1.6 million tonnes). Cereal food aid to Indonesia exceeded 700,000 tonnes. Larger shipments were also registered to the hurricane-ravaged countries of Central America, especially Honduras, Guatemala and Nicaragua. In Africa cereal food aid to most countries fell, the main exceptions were Eritrea, Guinea-Bissau, Sierra Leone, the Sudan and Zimbabwe. In Asia, additional shipments were registered to Mongolia and Nepal, while cereal donations to many other countries fell drastically, including to the Democratic People's Republic of Korea, one of the largest food aid recipients in recent years. Similarly smaller shipments were registered to Armenia, Sri Lanka, Azerbaijan, Georgia, Kyrgyzstan and Tajikistan.[3]

41. In June 1999 major donors approved the new Food Aid Convention (FAC) to be implemented for an initial period of three years starting in July 1999. The new Convention calls for a more flexible approach to food aid by expanding the list of eligible commodities and the method of contributions. Overall, the total volume of commitments under the Convention is 4.8 million tonnes, roughly equivalent to the previous one.

42. The FAO Committee on World Food Security, meeting in Rome from 31 May to 3 June 1999, welcomed General Comment 12 adopted by the Committee on Economic, Social and Cultural Rights as an important step in implementing Objective 7.4 of the World Food Summit Plan of Action. The Committee noted the reference in the General Comment to the need for United Nations agencies, including FAO, to provide assistance to developing countries, upon request, and noted that this assistance should draw fully on the expertise of the Office of the High Commissioner for Human Rights. The Committee commended the collaboration between FAO and the treaty body, welcoming the proposal that the cooperation between them should be strengthened on a continuing basis.[4]

43. In its assessment of the world food security situation, the Committee recommended a number of improvements to the indicators to be used for monitoring the current situation, among them to broaden the commodity coverage of the global assessment to cover all staple foods, not only cereals, to reflect changes in composition of the diet, to include such indicators as poverty index, income distribution and purchasing power, trade position, terms of trade, external debt, private capital flows and ODA.[5] It also considered the introduction of gender- and age-disaggregated indicators and indicators of relevance for specific vulnerable groups, better coverage of environmental and climatic conditions, and attention to ethnicity and its effects on dietary patterns and social behaviour. In addition, the indicators used should be comparable across countries and the focus of the monitoring within countries should be on the food security status of individuals, with additional monitoring of food security at household level where possible.[6]

C. Updated study on the right to food

44. The former Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights, Mr. A. Eide, updated his study on the right to food in a report submitted to the Sub-Commission at its fifty-first session (E/CN.4/Sub.2/1999/12). According to Mr. Eide, there is an international recognition of the right to be free from hunger and to adequate food as a human right that the relevant international institutions now endorse.

45. He addressed recommendations to States, the High Commissioner for Human Rights, the treaty bodies, the Commission, the specialized agencies, as well as NGOs, professional organizations and academic institutions.

46. Regarding States, they should elaborate a strategy for the realization for everyone within their territory of freedom from hunger and the right to adequate food. National indicators on food insecurity should be included and national nutrition councils be established. The international cooperation should lead States to take joint and separate action to achieve the full realization of the right to adequate food. They should respect the enjoyment of the right to food in other countries, refraining from using food as a weapon. In addition, they should protect the right to food in other countries, monitoring the impact of their external aid and trade, as well as the impact of the activities of transnational corporations under their jurisdiction. Moreover, States should facilitate access to food in countries other than their own and provide the necessary aid when required.

47. He also recommended that the High Commissioner continue to take the leadership role in promoting the implementation of the right to food and nutrition and developing a comprehensive strategy for this purpose. In particular, OHCHR should organize a broad consultation to draw up a coherent United Nations strategy, strengthen the Office's capacity to deal with the substantive issues by appointing an external adviser, improve institutional and operational links between the concern for human rights and the mandates of the specialized agencies; study the impact of globalization on the food and nutrition situation of vulnerable groups and remedies; organize a third expert consultation on implementation mechanisms at country level; organize a consultation among treaty bodies, food agencies, humanitarian organizations, and international financial and trade institutions to enhance dialogue among them; and undertake a study to clarify the joint and separate responsibilities of States to cooperate in ensuring access to food for all in times of emergency.

48. As regards the human rights treaty bodies, Mr. Eide recommended that the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child should establish working relationships among themselves and with specialized agencies, as well as ACC/SCN. The committees should also revise their guidelines for State reporting on the right to food.

49. Mr. Eide also recommended that the country rapporteurs of the Commission on Human Rights include in their reports investigations into violations of the right to adequate food. In addition, the Commission should appoint a thematic rapporteur on freedom from hunger and the enjoyment of adequate food and adopt voluntary guidelines in this regard.

50. The specialized agencies should individually define their human rights objectives and goals within their respective mandate, strengthen their staff's capacity to analyse the economic, social and political context in which they work, recognize the importance of training on a rights-based approach, and further develop indicators and benchmarks concerning the achievements and shortcomings in the realization of food and nutrition rights. Moreover, FAO should assist in drafting national framework legislation; UNICEF should make available model legislation on the right to adequate food for infants and young children; and FAO, WFP and the International Fund for Agricultural Development (IFAD) should cooperate on the implementation of the right to food at the national level. Lastly, agencies' policies should not have a negative effect on the implementation by States of the right to food and nutrition.

51. Finally, NGOs should devote more attention to economic and social rights, including the right to food and nutrition. In addition, more interaction is needed between human rights and development organizations. On the other hand, legal and judicial organizations should train their members in addressing economic and social rights. Universities should also organize training courses on the interface between human rights law and food and nutrition policy analysis and planning, especially as it relates to globalization processes, sustainable agriculture, gender issues and the global burden of disease.

D. Action by the Sub-Commission

52. The recommendations contained in Mr. Eide's updated study on the right to food were welcomed by the Sub-Commission on the Promotion and Protection of Human Rights in its resolution 1999/12 of 25 August 1999. It endorsed in particular the recommendation to the High Commissioner to ensure, through various measures, a continued follow-up of the evolving process to identify the steps needed to implement the rights of all to adequate food and to be free from hunger, drawing up a coherent United Nations strategy for this purpose which could also serve as a model for how to approach economic, social and cultural rights more generally.

53. The Sub-Commission also endorsed the recommendation to States to elaborate national strategies for the realization for everyone within their territory of the rights to adequate food and to be free from hunger, including the elaboration of framework legislation as proposed in General Comment No. 12 of the Committee on Economic, Social and Cultural Rights.

54. It endorsed specifically the recommendation that the High Commissioner should organize a third expert consultation, following those held in 1997 and 1998, this time with a focus on implementation mechanisms at the country level, inviting government experts to bring experiences from their countries as a contribution to the operationalization at the national level of the right to food, including the drawing up of a framework law. It also endorsed the recommendation that the High Commissioner organize a consultation involving representatives of the treaty bodies and relevant agencies and humanitarian organizations and the international financial and trade institutions, to enhance dialogue and encourage consultations on a regular basis and to prevent activities which would cause a further deterioration in the enjoyment of the right to adequate food, taking into account General Comment No. 10 and the working paper by Mr. Joseph Oloka-Onyango and Ms. Deepika Udagama on human rights as the primary objective of international trade investment and finance policy and practice (E/CN.4/Sub.2/1999/11).

55. Lastly the Sub-Commission requested the Commission to endorse the conclusions and recommendations contained in the updated study and expressed the wish for its publication by the United Nations in all the official languages and its wide distribution.

III. CONCLUSIONS

56. The most recent FAO estimate of the number of undernourished, which refers to 1995-1997, stands at 825 million (791 million in the developing world), showing a decline which corresponds to an annual average of only 8 million. However, the decrease required from 1997 onwards to meet the World Food Summit target of halving the number of the undernourished by the year 2015 is nearly 20 million per annum.

57. On the other hand, there is an international recognition of the right to be free from hunger and to adequate food as a human right that the relevant international institutions now endorse, creating momentum to act in a concerted way to eliminate the scourge of hunger from humanity.

58. With the adoption on 11 May 1999 by the Committee on Economic, Social and Cultural Rights of General Comment No. 12, the international community now has an authoritative definition of the rights related to food in article 11 of the International Covenant on Economic, Social and Cultural Rights. The general comment has also proposed ways to implement and realize these rights as a means of achieving the commitments and objectives of the World Food Summit. The implementation of the recommendations of the general comment should now be a matter of the utmost priority.

Notes

[1] FAO, The State of Food and Agriculture 1999, September 1999, pp. 1-7.

[2] Report of the twenty-fifth session of the Committee on World Food Security (Rome, 31 May-3 June 1999), FAO document CL 116/10, para. 3.

[3] FAO, supra note 1, pp. 25-26.

[4] FAO, supra note 2, para. 4.

[5] Ibid., para. 9.

[6] Ibid., paras. 13 and 33.